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Forty-seventh session

SUMMARY RECORD OF THE 11th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 5 February 1991, at 10 a.m.

Chairman: Mr. BERNALES BALLESTEROS (Peru)

later: Mr. VASSILENKO (Ukrainian Soviet Socialist Republic)

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The meeting was called to order at 10.30 a.m.

STATEMENT BY MR. LENNOX-BOYD, PARLIAMENTARY UNDER-SECRETARY FOR FOREIGN AND COMMONWEALTH AFFAIRS OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

1. Mr. LENNOX-BOYD (Parliamentary Under-Secretary for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland) said that the Commission had achieved a good deal in the 45 years of its history. It had not only set human rights standards but had also forged a wide international consensus and a growing recognition that human rights were not simply a good thing, but that they were directly relevant, indeed indispensable, to political stability and success.

2. Every aspect of United Nations work had benefited from the improved international atmosphere of recent years. Issues that had once divided Member States ideologically were now treated as common problems to be solved pragmatically and in their place. Human rights were no exception to that approach. It was generally recognized that human rights concerned all States, whether large or small, developed or developing. Questions of justice and accountability were the basis of a State's legitimacy in the eyes of its own citizens.

3. Respect for human rights had political, economic and social benefits. There could be no doubt that human rights were inextricably linked with the political health and stability of States. The past two years had provided a wealth of examples, and Governments had more than ever faced the challenge of meeting the political expectations of public opinion in their countries. For political stability did not mean standing still; on the contrary, it did mean a political system in which the people could genuinely participate, a Government that was truly accountable and a system which gave society the adaptability to respect justice. The protection of human rights required constant vigilance and was a never-ending task. Happily, all the States that struggled for human rights were supported in that commitment by the work of the United Nations.

4. Regrettably, States sometimes failed to recognize the importance of human rights or to act in conformity with their human rights obligations. The most vivid and recent example was perhaps that of Iraq, whose Government had for so long behaved with a brutal disregard not only for the rights but for the lives of its own citizens. A State which was rotten inside was bound to reflect that rottenness in its external dealings. Would any other kind of régime have used poison gas against its own citizens? Or have invaded Kuwait, looting and raping while cynically claiming to uphold freedom? For a tyranny that had not hesitated to torture and murder its own citizens, it must have seemed a small step to take to invade and destroy a small and peaceful neighbour.

5. Ignoring the condemnation of the world and in defiance of the mandatory resolutions of the Security Council, Iraq had refused to withdraw from Kuwait, plunging the area into a serious conflict. That clearly showed how years of contempt for human decency and human life had bankrupted the morals and perverted the thinking of a Government.

6. What was required of Iraq was a change of course. It must respect human life and dignity, and respect in particular the Third and Fourth Geneva Conventions. It must apply in good faith the international standards to which it had committed itself.

7. Human rights, expressed in terms of economic, social and cultural as well as civil and political rights, had a vital role to play in creating a healthy society and a healthy economy. All those rights were equally important. They were interdependant and had a common thread running through them: the political freedom of the individual citizen to call his or her Government to account by peaceful means, through democratic choice or through the action of the courts. The Commission had the obligation to make its contribution to the international debate. It should make clear that accountability and participation in Government were no longer simply a matter of national choice, but had become an international standard.

8. The Centre for Human Rights already provided useful support for countries that wished to measure up to that standard. The United Kingdom would continue to support the Centre's Advisory Services; he was pleased to say that his country had contributed £30,000 to the Voluntary Fund in 1991. The United Kingdom would also work for a substantial reallocation of United Nations resources to human rights activities. Outside the United Nations, it would play its part in co-operation in the Commonwealth for the promotion of human rights.

9. Non-governmental organizations did useful work and played an invaluable role. They often perceived events in a different and sharper way than the best-intentioned bureaucrats, and the most active among them quite properly never allowed Governments to relax. Governments and Commission alike owed them a great deal.

10. He drew attention to the importance of successful work on the question of the rights of minorities. He hoped that the final version of the draft declaration on minority rights would be completed soon. He recalled that the United Kingdom had played a leading part in preparing the draft principles on the rights of the mentally ill, and expressed the hope that they would be adopted by the Commission.

11. Regarding the situation in the Baltic States, he recalled that the United Kingdom had consistently recognized the right of the Baltic peoples to determine their own future through free negotiation based on democratic principles. His Government urged the Soviet authorities to negotiate, not to threaten or use force and to stand by their commitments, which they had accepted in the Charter of Paris and other international legal instruments.

12. Regarding the violation of human rights in the occupied Arab territories, the representative of Luxembourg had already outlined his own Government's views in speaking on behalf of the European Community. He wished again to ask Israel to fulfil its obligations under the Fourth Geneva Convention and to respect fully the human rights of the Palestinian population.

13. Concerning the situation in South Africa, he re-stated his Government's longstanding condemnation of the system of apartheid; he welcomed the measures announced the previous week by the President of South Africa with the aim of ending that system.

14. In conclusion, he wished to see a still more effective and active Commission and one that would continue to contribute to the building of the rule of international law.

15. Mr. Vassilenko (Ukrainian Soviet Socialist Republic) took the Chair.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE (agenda item 4) (continued) (E/CN.4/1991/6, 7, 8, 61, 62 and 65; A/45/3, 13 and Add.1, 35 and Corr.1, 84, 306, 503, 576, 595, 608-614 and 726)

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION (agenda item 9) (continued) (E/CN.4/1991/13, 14; E/CN.4/1991/NGO.2; A/45/488)

16. Mr. KHOURI (Union of Arab Jurists) said that the Union of Arab Jurists had a total of several thousand members in most of the Arab countries and that it combated exploitation and injustice.

17. Ever since the Zionist forces and the victorious allied forces of the Second World War had divided up the Near East region in 1945, the Palestinian people had had a tragic existence. The Arab people in general were paying for the Nazi crimes and atrocities committed by the Westerners against the Jews before and during the Second World War. Arabs, and the Palestinians in particular, had placed their hopes in the United Nations thinking that it would help them recover their legitimate rights, especially their right to self-determination.

18. It was true that the various United Nations bodies had adopted dozens of resolutions condemning Israel or urging it to comply with its obligations under the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Fourth Geneva Convention, but the State of Israel paid no attention to those resolutions and was even stepping up its oppression. The violations committed by Israel: murders, expulsion measures, an economic embargo and the closing of universities and schools had become part of a systematic policy of repression. At the same time, several thousands of Jews from Eastern Europe and the USSR were settling in the occupied territories, which was contrary to United Nations resolutions and in particular to a resolution of the Commission on Human Rights.

19. However, Israel would not be able to commit all those violations with impunity unless it had the support of the imperialist forces, especially the United States of America. That situation gave the peoples of the region a feeling of injustice and frustration.

20. The savage aggression committed by the forces of the United Nations, the United States of America and zionism against Kuwait and Iraq with a view to destroying them indicated that the United Nations was not the arbiter it should be. In that situation, it was both judge and judged. There was a double standard in operation, and the victims were always the peoples of the region.

21. The Charter of the United Nations, designed for maintaining peace, was being used as a framework for war, and the Security Council had become an instrument of aggression. The imperialist and Zionist forces and their allies were giving the public a biased picture of the situation. They were hypocritically presenting themselves as a coalition in the service of human rights, the guarantor of international standards and of justice. In contrast, the Palestinians were depicted as terrorists and the Iraqi people as the aggressor. The State of Israel, armed with weapons of mass destruction, thus had a free hand to pursue its policy of annihilating the Palestinian people.

22. The United States of America and its allies, who sought only to defend their economic interests, had resorted to all sorts of pressure and threats to force the Security Council to adopt certain resolutions that were contrary to the purposes of the United Nations. It must not be forgotten that, Article 1 of the Charter of the United Nations stated that the Organization's goals were, in particular, to maintain international peace and security, to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to achieve international co-operation in promoting and encouraging respect for human rights and for fundamental freedoms. Those goals were interdependent and could not be achieved separately. Security Council resolutions 661 (1990) and 666 (1990) were also incompatible with the two International Covenants on Human Rights. More serious still, resolution 678 (1990) was a flagrant violation of the right of peoples to self-determination. Would the United Nations system henceforth legitimize new colonial wars?

23. In the French newspaper Le Figaro of 2 February, General Lacaze stated that the raids carried out by the coalition aircraft had had "unimaginable effects". The General had wondered in particular what a country could do when it had no electricity, water, telephone, petrol, roads, bridges, factories, warehouses, ports or airports, but did not say that the indiscriminate air raids against the civilian population, military targets, churches and mosques were 10 times more powerful than the bomb dropped on Hiroshima.

24. The Union of Arab Jurists urged that the war should be ended and a solution found for the problems of the region, including that of the Palestinian people.

25. MR. LITTMAN (World Union for Progressive Judaism), speaking on agenda item 9, noted that the term of colonial or alien domination had a different meaning depending on the point of view or ideology of the person using it. He recalled that the issue of self-determination had dominated international affairs in 1938. At that time, the "freedom fighters" had been the Nazis. Adolf Hilter had spoken of the "rights", and especially the right to self-determination, of some 3 million Sudeten Germans. That had been simply a strategem for englobing the Sudeten region into his empire and constructing

his "Gröss Deutschland", which had been followed by the destruction and annexation of Czechoslovakia before he moved on to further triumphs. The Nazi Konrad Henlein had even successfully organized the Sudeten "resistance", including "spontaneous" stone-throwing, in order to demonstrate to world opinion the courageous struggle of the humiliated Sudetens against the so-called arrogant and dominating Czech occupying power. Henlein had been received in Western capitals with the honours due to head of State. The hypocritical, cynical and complacent Western leadership, through its policy of appeasement, had thus let itself be drawn into the capitulation at Munich and finally into war. Winston Churchill, in his famous speech to the House of Commons on 5 October 1938, had gone straight to the crux of the matter in saying that it came ill out of the mouths of those in totalitarian States to exalt the principle of self-determination.

26. It was both frightening and highly instructive to recall how the Nazi dictator, 10 days before the invasion of Poland, had spoken about those who had handed him Czechoslovakia on a silver platter. Daladier and Chamberlain were described as "miserable worms", and Hitler had said: "Our strength is in our quickness and our brutality. Genghis Khan had millions of women killed by his own will with a gay heart and history sees in him only a great State-builder. What the weak European civilization thinks about me does not matter. I have sent my Death's Head units with the order to kill without mercy all men, women and children of the Polish race ..." (Nuremburg Trials of Nazi Criminals, The Times, 24 November 1945).

27. There was unquestionably a strong similarity in the tone and methods of Adolf Hitler and Saddam Hussein. The difference was that, thanks to President Bush, the United Kingdom and the allied Governments, including the majority of the members of the Arab League, the tyrant of Baghdad had been stopped short by a just war under the aegis of the United Nations.

28. The ideological linkage between the two tyrants was manifest. As Hitler had pretended that he wanted to "liberate" Austria and to obtain "self-determination" for the Sudetens, Saddam Hussein was pretending to "liberate" Kuwait and obtain "self-determination" for the Palestinians. But, as Churchill had said in a speech on 28 June 1939, the world would go on. Kuwait would soon be liberated from foreign occupation, and the Kuwaitis would return to their homes in freedom.

29. Yasser Arafat was one of those much vaunted "freedom fighters" on self-determination issues, an alleged paragon of virtue, who had enthusiastically seconded the threats made by Saddam Hussein the previous April, to "incinerate half of Israel" with chemical poison. Fortunately, the anti-humane encouragement by the head of the PLO to the tyrant to kill off hundreds of thousands of Israelis - and Palestinians! - had not yet materialized.

30. Saddam Hussein's outrageous behaviour was no new phenomenon in the Middle East and could be illustrated by a story from early Muslim history, that of "Osman's shirt". In the aftermath of the death of the Caliph Osman ibn Affan, murdered in 644, various usurper leaders had roamed the conquered lands and, to prove their legitimacy, would wave the deceased Caliph's bloody shirt and say: "I do this in the name of Osman!". The flag being waved today

by Saddam Hussein was neither the green banner of Islam, traditionally a religion of compassion, nor that of the Palestinian cause, which required a peaceful solution. Saddam Hussein invoked the Palestinian cause in the same way that the usurpers would wave Osman's shirt, and the Iraqi occupation of Kuwait and the bombing of Israeli cities had ultimately one aim: assuming Arab - even Muslim - leadership, like the Caliphs of old.

31. The fall of Saddam Hussein would provide a golden opportunity for global peace and reconciliation in the Middle East. The idea already proposed of a future "United States of Abraham/Ibrahim" might form a framework for such a settlement and make a Utopia a reality. As Aristotle had said, a likely impossibility was always preferable to an unconvincing possibility.

32. Mr. Bernales Ballesteros (Peru) took the Chair.

33. Ms. LACOURT (International Federation Terre des Hommes) said that the International Federation Terre des Hommes continued to be extremely worried about the present situation of the people of Cambodia; they were denied most of their rights and had been among the poorest and most isolated people in the world for the past 12 years.

34. Despite the agreement concluded on 28 August 1990 among the five permanent members of the Security Council on the key elements for a comprehensive political settlement of the Cambodian conflict, and despite the signing of the Jakarta Agreement on 10 September, according to which the parties involved accepted the Security Council's call for self-limitation on military activities, the fighting had not stopped, and numerous military operations, which had already taken a heavy toll, were currently taking place in 14 of the country's 19 provinces. Tens of thousands of persons (between 130,000 and 150,000) persecuted by the guerrillas and the government forces had had to flee from their homes to other regions where their situation was extremely precarious, for they were unable to cultivate their fields, which were seeded with landmines. What could the right to self-determination mean for those people, whose main concern was simply to survive? The recent flow of refugees into the camps in Thailand was one of the highest since 1979, but most of the camps were controlled by one or other of the opposition factions, so that the persons in them continued to be coerced and persecuted. It was therefore essential to establish new neutral camps, or at least to reopen the Kao-i-Dang camp and keep the O-Trao camp open.

35. The progress achieved towards genuine self-determination at the national level was minimal, despite the fact that all the parties to the conflict had accepted the framework for a comprehensive settlement of the Cambodian conflict that had been approved by the Security Council in resolution 668 (1990). On 26 November 1990, the five permanent members of the Security Council, together with Indonesia, as Co-Chairman of the Paris International Conference on Cambodia, and the United Nations Secretary-General, had agreed on a draft comprehensive political settlement which contained no specific reference to the Convention on the Prevention and Punishment of the Crime of Genocide or the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity. The draft gave the former executioners the same rights as their victims, and her organization wondered how the presence of their former torturers in the

structure to be set up could be explained to the Cambodians. To offer all Cambodians an opportunity of access to the electoral process would be tantamount to granting an amnesty to all those who had committed crimes in the past, so that they might even represent those whom they had persecuted. Could the international community allow those crimes to go unpunished and the rules of conduct which it had set itself and the fundamental rights of every human being to be flouted? In addition, a process of self-determination could be set in motion only when hostilities had ceased, so that the population could express itself freely. However, according to the proposed draft settlement, the cease-fire would take place after the final settlement, which meant that the Cambodian people would continue to suffer until others decided on their future. The present draft contained no provision enabling the Provisional United Nations Authority in Cambodia (APRONUC) surveillance troops to separate the belligerents effectively. An in-depth analysis of the conditions for the withdrawal and dismantling of the military forces involved showed that the end of hostilities was in fact left to the good will of the parties to the conflict, and one might well doubt whether they would provide information on the caches of weapons in their possession throughout Cambodia. What could be the outcome of a process of self-determination which would allow, inter alia, a de facto amnesty to be granted to those responsible for past crimes, who would be free to begin again, and well armed to do so?

36. The Cambodian people had the right, beyond all political considerations, freely to exercise its acknowledged fundamental rights, and in particular its right to self-determination. The International Federation Terre des Hommes therefore requested the Commission on Human Rights to recommend to all Governments or intergovernmental groups concerned with the peace plan presently being examined for Cambodia to do their utmost to ensure that the right to self-determination became a reality for the Cambodian people as quickly as possible, in conformity with all the international human rights instruments, and, in the meantime, to take all necessry steps so that the repatriation of Cambodians only took place in a peaceful manner and with their consent, to halt the closing down of camps not controlled by factions of the present coalition and to grant free access to any refugee who sought protection in them, to maintain and to guarantee access to humanitarian aid inside the country, to halt all arms deliveries to the parties involved and to end the international isolation of the Cambodian people so that they might receive the assistance they needed.

37. Mr. EVALET (Centre Europe-Tiers Monde) said that, at a time when all eyes were on the Gulf, his organization felt it was indispensable to remind everyone that the conflict between Eritrea and Ethiopia had not yet been resolved and that the Ethiopian Government was continuing to commit mass human rights violations, in particular in Eritrea but also generally throughout Ethiopian territory. Ethiopia had even tried to exploit the current international situation by proclaiming its support for the anti-Iraqi coalition in order to obtain resources from the United States and the international community to prevail militarily over Eritrea and by disseminating forged documents to give the impression that the EPLF had supported the invasion of Kuwait by Iraq. The EPLF had published a formal denial, stating that it had itself been struggling against invasion and annexation for 30 years.

38. It must also not be forgotten that the United Nations had a heavy responsiblity in that conflict, for it was the General Assembly, in 1950, that had imposed on Eritrea the status of an autonomous unit federated with Ethiopia by the terms of resolution 390 (V), contrary to the will of the Eritrean people and the Charter of the United Nations. Furthermore, the United Nations had for 30 years done nothing to put an end to the human rights violations to which Eritrean civilians were constantly subjected by the Ethiopian authorities, which had been attested to by many journalists and organizations - especially Africa Watch in three reports published in 1990 - and to enable the Eritrean people to exercise its right to self-determination. Nevertheless, it should be stressed that the United Nations had intervened in 1950 because the major Powers had not succeeded in coming to an agreement on the future of Eritrea, that in the same resolution the General Assembly had recognized that the Eritreans were a people and that they could therefore claim the right to self-determination that they had never been able to exercise because they had simply gone from Italian and British domination to Ethiopian domination.

39. Thus the United Nations ought therefore to take up the question of the genuine decolonization of Eritrea in the new legal context established by the establishment of the right of peoples to self-determination. It was for the Eritrean people to choose freely between integration into Ethiopia, association with that country within a federation, or independence, in the context of a referendum to be held under United Nations auspices in conformity with the proposal which the EPLF had made in 1980 and which the Ethiopian Government had always rejected.

40. The Centre Europe-Tiers Monde again appealed to the Commission on Human Rights to adopt a resolution condemning the human rights violations committed by the Ethiopian Government, deciding to establish an ad hoc United Nations committee to supervise a referendum in Eritrea to allow the Eritrean people to exercise their right to self-determination freely and democratically and deciding to place the question of Eritrea on the agenda for its next session and on that of the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

41. Mr. RAIANI (International Organization for the Elimination of All Forms of Racial Discrimination) (EAFORD) drew the Commission's attention to the extremely disturbing situation of the Palestinians in the occupied Arab territories, where the Israeli authorities were continuing their policy of oppression and repression. The numerous victims of that policy no longer "made the front page" of the newspapers, for the attention of all the international media was directed on the events currently taking place in the Gulf. The punishment inflicted on Palestinians who dared to resist the occupation forces was disproportionate in comparison with that incurred by Israelis who committed terrorist attacks against Palestinians. Three members of the clandestine Jewish movement "Jewish Underground" whose crimes had included attacking a school in Hebron with grenades, killing 3 pupils and wounding 30 others, had had their sentences reduced several times and had finally been released in December 1990 for good behaviour, whereas a Palestinian who threw a stone at an Israeli soldier was risking death.

42. The situation of some 800,000 Palestinians living in Israel itself was hardly any better, for they were treated as second-class citizens and had no rights since they were not Jewish. The Zionists believed that they were God's chosen people and that all the others were merely their servants. It was clear that a settlement of the conflict in the Middle East must necessarily include a solution of the Palestinian problem, and EAFORD asked that every effort should be made to enforce the resolutions adopted by the United Nations on Palestine and the Palestinians.

43. Under agenda item 9, EAFORD would also like to draw attention to the situation of the Eritrean people, who had been under Ethiopian domination and struggling to liberate their country since 1962. The struggle had been largely successful, but the military régime in power in Ethiopia refused to admit defeat; thus its forces continued to bombard Eritrea and it was currently trying to starve the population by preventing it from gaining access to relief centres in order to be able to obtain food and medical assistance.

44. The international community had an obligation to help the Eritrean people to exercise its right to self-determination, and in that respect the decision adopted by the Swedish Parliament, which had asked the United Nations to make every effort to find a solution to the Eritrean problem, should be welcomed. Thus EAFORD expressed the hope that the United Nations would assume its responsibilities and do everything in its power to return Eritrea to the Eritrean people and put an end to the suffering they had been enduring for over 30 years under the yoke of Ethiopian colonization and exploitation.

45. Mrs. GRAF (International League for the Rights and the Liberation of Peoples) recalled that, since its establishment in 1976, the International League for the Rights and the Liberation of Peoples had given special attention to the right of peoples to self-determination. There were many peoples that did not yet exercise that right, such as the Kurdish people, of whom there were 25 million dispersed in four different States where they were persecuted and exploited depending on the prevailing political situation and economic interests.

46. In Syria, the Kurds were deprived of their national identity; in Turkey and Iraq, they were oppressed and would be among the first victims of the war taking place in the Gulf, for they were completely defenceless and vulnerable. Whatever the outcome of the conflict, no one would care about the 4 million or so Kurds victimized for 22 years in Iraq. One of every two Iraqi Kurds had become a refugee or displaced person. There were 370,000 in Iran, 28,000 in Turkey and 3,000 in Pakistan; in addition, 1.5 million Kurdish Iraqi civilians had been herded together in camps located along Iraq's main roads and its frontiers with Saudi Arabia and Jordan. In Turkey, the suspension on 6 August 1990 of the implementation of the European Convention for the Protection of Human Rights in 13 provinces under a state of emergency had merely exacerbated the situation of the Kurds in those regions, and, since the beginning of the war in the Gulf, 500,000 persons had been evacuated from the villages located in the territories, from which military operations against Iraq were being conducted. Furthermore, no security measures had been taken to protect the population, which did not have gas masks, from a possible Iraqi attack. Turkey tried to give the impression that it respected the rights of the Kurdish people, in particular by authorizing the use of the

Kurdish language, whereas it continued to crack down on any indication of protest and had taken advantage of the conflict in the Gulf to mass troops in Turkish Kurdistan along the Iraqi frontier. And how could one believe that Turkey wished to improve the situation of that people when everyone was aware of the inhuman conditions in which the Kurdish refugees from Iraq were living, in the camps at Diyarbakir, Mardin and Mus?

47. All the States in the region in which Kurds were living should, in their own interest, seek to reconcile the demands of justice and history by settling unresolved border issues and by granting the Kurdish people the right to self-determination. For that reason, the International League for the Rights and the Liberation of Peoples unreservedly supported the proposal to convene, under United Nations auspices, an international conference whose purpose would be to secure a comprehensive settlement of all the political questions affecting the human rights of the peoples in the Middle East, including the Kurds.

48. In Africa, the war between the Ethiopian Government and the Eritrean people had already caused hundreds of thousands of casualties and nearly 1 million refugees. The suffering resulting by the indiscriminate bombing by the Ethiopian army was adding to the problems that drought and famine were already causing the Eritreans.

49. It was high time for a negotiated solution to be found to that conflict according to the modalities proposed by the Eritrean People's Liberation Front (EPLF), i.e. the holding of a referendum under the auspices of the United Nations and the Organization of African Unity to enable the Eritrean people to choose between independence, association within a federation with Ethiopia or autonomy within Ethiopia. There was a growing awareness in Europe of the need to settle that problem, as indicated by the adoption by the Swedish Parliament in November 1990 of a bill recognizing the national status of Eritrea in conformity with international law and requesting the United Nations to take steps to resolve the conflict. That decision was especially significant as the Swedish Government had recently still been giving considerable aid to the Mengistu régime, and there was no doubt that it would create a precedent. Nevertheless, the peace talks between the parties had not yet really begun, and the International League for the Rights and the Liberation of Peoples therefore hoped that the discussions to be held in London on 18 February would end on a more optimistic note than previous ones, even though one might doubt whether the will expressed by the Ethiopian Government to have a peaceful and fair settlement was genuine. How could one fail to have doubts, when one saw that Ethiopia proclaimed that will precisely when the General Assembly and the Commission on Human Rights were meeting and that it unhesitatingly exploited certain situations, recently going so far as to distrbute false statements of support for Iraq allegedly made by the EPLF which the EPLF had immediately denied?

50. Finally, the International League for the Rights and the Liberation of Peoples would like to draw the Commission's attention to the case of a small territory forgotten by the media, East Timor, whose people continued to suffer serious human rights violations, regularly reported by humanitarian organizations. The Sub-Commission on Prevention of Discrimination and Protection of Minorities had adopted at its latest session a resolution on

that question, in which it said it had indicated its support for dialogue between the parties involved; that dialogue had already been begun under the auspices of the Secretary-General of the United Nations. The head of the Timorese resistance had not objected to a dialogue and had indicated his willingness to consider any proposals for a solution, without prior conditions, under United Nations auspices. The ball was in Indonesia's court, and it was to be hoped that that great country would not be the last State to perpetuate a colonialism which it itself had fought in the past.

51. The International League for the Rights and the Liberation of Peoples believed that the implementation of the right to self-determination must remain one of the main purposes of the United Nations, for it was a right of peoples and not of Governments or of States.

52. Mr. M. VENDRELL (Pax Romana) said that his movement was concerned about the violations of the rights of individuals and of peoples wherever they occurred, and in particular about all those situations that failed to attract the attention of the media and were removed from the concerns of Governments and institutional authorities.

53. In an editorial published in December 1990, the New York Times had recalled that just as Kuwait had been invaded by Iraq in 1990, East Timor had been invaded 15 years earlier by Indonesia. However, although the armed invasion, followed by forced annexation established a parallel between East Timor and Kuwait, the situation in East Timor should rather be compared to the Palestinian situation.

54. From 1975 to 1982, the United Nations General Assembly had adopted yearly resolutions on the right of the people of East Timor to self-determination. In its turn, in resolutions 384 (1975) and 389 (1976), the Security Council had called on the Government of Indonesia to withdraw without further delay all its forces. However, as in the case of Palestine, those resolutions had gone unheeded, as special interests allowed situations contrary to the Charter and the resolutions of the United Nations to be manipulated.

55. Israel was entitled to security, although it was questionable whether the best means of ensuring its security was by occupying neighbouring territories, thus creating dangerous tensions in the region. Nor had it been demonstrated that Indonesia had acquired greater stability by seizing a foreign territory in which all the efforts it had made to impose its authority had merely had the effect of perpetuating a widespread feeling of rejection. During the visit of Pope John Paul II to East Timor in October 1989, the people of East Timor had taken the opportunity to demonstrate their desire for independence to international opinion.

56. Despite the repression, the number of demonstrations had increased over the previous year, and the Governor of East Timor had recently recognized that the people of East Timor above all wished to recover their dignity. Indonesia had for some time claimed that young people educated in its schools would be completely assimilated, yet those very same young people were now heading the protest movement, and were also the main victims of repression.

57. Although Indonesia had claimed that it had brought development to the former Portuguese colony, it seemed apparent that the other part of the island was more developed. Despite its being designated as the twenty-seventh province, East Timor was treated as an occupied territory, and per capita income in Timor was far lower than in Indonesia.

58. The Government of Indonesia could not endlessly repeat that the people of Timor had chosen integration in 1976. The assembly of 37 dignitaries that had been constituted by the armed occupying forces had merely ratified a decision taken in Jakarta, and the United Nations had never recognized that farce. The Bishop of East Timor had requested the United Nations to organize a proper referendum.

59. As in Palestine, a fait accompli and the passage of time could not legitimize a de facto situation, but instead increased the onus on the United Nations to seek a solution to a problem which the main parties were incapable of resolving alone.

60. It would have been easier to solve the question of Kuwait and to secure respect for the United Nations if the Organization had invariably shown the determination it was showing today against the Iraqi invader.

61. The current crisis could have a positive outcome if it succeeded in persuading each State Member to enforce in all cases the principles set out in the Charter, as well as all the resolutions of the United Nations, not only those relating to Kuwait, but also to Palestine, the Baltic countries and the people of East Timor.

62. Mr. RETUREAU (World Federation of Trade Unions) recalled that the United States aggression against Panama and its subsequent occupation in December 1989 had resulted in a large number of dead or injured victims, on the pretext of arresting a drug-dealing dictator, and former CIA agent.

63. Common graves had recently been discovered, in which the American forces had illegally buried corpses. Some 500 disappearances had been reported and it had been estimated that 1,500 Panamanian soldiers had been killed in the invasion. Furthermore, an American lawyer had set the number of dead at 7,000, mostly civilians.

64. Since its reinstatement by the foreign invasion forces, the Government of Panama had adopted a series of repressive measures against trade unionists and dismissed many workers, particularly in the civil service.

65. Many observers considered that the political harassment of those who defended their country's sovereignty over the Panama Canal and its national independence was not unrelated to a predictable denunciation of the Carter-Torrijos agreement relating to the restitution of the Canal to the people of Panama.

66. The aims of the military intervention had undoubtedly been more far-reaching than the mere arrest of a drug-dealing dictator, and the toll paid by the population in human lives, the destruction of a popular suburb (Chorillo), and the repression suffered by the patriotic forces clearly indicated that the real objectives of the aggression were essentially political and imperialist.

67. His organization called for the departure of all occupation forces from Panama, the taking of the necessary measures to exhume and identify the Panamanian victims and provide them with a decent burial, compensation for the inhabitants of Chorillo and the victims' families, the reinstatement of the dismissed workers and the suspension of the reactionary reforms to the Labour Code and the Social Security Act carried out by the Government.

68. It was vital that Panamanian sovereignty should be fully respected throughout its territory, including the Canal Zone, as reorganized by the Carter-Torrijos agreements.

69. Puerto Rico, which had been a United States colony since 1898, as a result of military conquest, was one of the last countries in the world that had not yet achieved sovereignty and independence. It was essential that resolution 1514 (XV) should be implemented.

70. The bill relating to a consultation on the country's future which was under discussion in the legislative bodies of the United States did not comply, in its present form, with the United Nations resolution, and in particular with the provisions concerning the transfer of all powers to the people of Puerto Rico and the participation of the United Nations in the decolonization process.

71. For that reason, the twelfth World Trade Union Congress had sent a message to the President and Congress of the United States calling for compliance with resolution 1514 (XV) and, more generally, international law relating to decolonization, as, for example, recently implemented with success in Namibia by the United Nations.

72. With regard to Kurdistan, the WFTU had repeatedly drawn the attention of the members and experts of the Commission and of the Sub-Commission to the tragic situation of the Kurdish people divided among several States by colonial authorities who had arbitrarily deprived them of their right to self-determination.

73. The fate of the Iraqi Kurds, as exemplified by the Halabja massacre and by the scorched earth policy that had driven the southern Kurds into exile or confinement in concentration camps, had frequently been evoked.

74. All those attending the Commission had detailed knowledge of the forced assimilation policy applied by Turkey, which had always denied the Kurds the right to their language and culture, and which had for many years employed a policy of terror under cover of the state of war permanently in force in north-eastern Kurdistan.

75. The WFTU renewed its call for the appointment of a special rapporteur to examine the human rights situation of all Kurds in the various countries of the region.

76. The Kurds were also currently among the victims of the bombardments carried out by the allied forces in the Gulf war. The Kurdish regions hit by the shelling were, moreover, claimed by Turkey, which was contributing to the war in the hope (held out to it by some parties) that the territory of Iraq would be dismembered, thus allowing Turkey to control the oil wells and to finish off what Iraq had begun with the Kurds.

77. On either side was the Kurdish population adequately protected against the bombing, and even less against chemical or bacteriological weapons.

78. Once Kuwait had been freed from the Iraqi occupier, whose immediate and unconditional departure the WFTU called for so that for Kuwaiti sovereignty could be restored and, it was to be hoped, democracy established in Iraq, Kuwait and in most of the countries of the region, from which it was absent, it would be unbearably unjust for a people of 25 million individuals, which was entitled like any other people to independence and self-determination, to be kept in slavery.

79. In Myanmar, the military authorities continued to hinder the democratically expressed will of the Burmese people for the establishment of a parliamentary regime and political pluralism. The military dictatorship thus flouted the sovereignty of the people and its right to choose the form of government it wished. Moreover, it was brutally repressing the democratic forces and their leaders. Accordingly, the WFTU called for respect for the results of the elections, for public freedoms and human rights, and for the right of the people of Myanmar to self-determination.

80. WFTU wished to express its deep concern about recent development in the Baltic countries. While the situation was undoubtedly complex, resorting to armed intervention and violence could but aggravate problems and render them still more complex. The aspirations of the peoples of the Baltic countries could be fulfilled through negotiation and mutual good will.

81. Lastly, he emphasized that the world was passing through a historic period of rapid upheavals which made countries increasingly interdependent, and that processes of integration were beginning to emerge. However, at the same time, global issues (the economy, the environment, human rights and the rights of peoples) arose in a context marked by greater inequality between countries and within each country, and by divisions based on national, ethnic or religious distinctions.

82. For that reason, priority should be given to negotiations and to international law in settling conflicts. Moreover, international law should continue to evolve (in particular the law on decolonization, the right to development, the law of the sea) in order better to harmonize the rights of individuals and peoples with the rights of sovereign States. That question should form the centre of the work of the Commission and of the Organization as a whole, in order to provide peaceful and just solutions to long-standing and new crises, which continued to engender every kind of conflict.

83. Mr. ENGIZEK (Latin American Federation of Associations of Relatives of Disappeared Detainees) emphasized that the international community, which was currently following with great anxiety the dramatic development of events in the Gulf, had so far only shown passivity and indifference towards other equally just causes.

84. In fact, year after year, for 26 years, the United Nations had called for respect for the right of the people of Western Sahara to self-determination and independence. As was to be expected, those appeals had always been ignored by the successive colonial Powers. With the complaisance of some and

the complicity of others, Spain yesterday and Morocco today had been able to flout international law. The peaceful people of Western Sahara had been struggling for over 20 years to exercise its right to independence, which was moreover recognized by the international community.

85. The injustice committed against that people was unprecedented in modern history. For the first time, a colonial Power had divided a people and partitioned its territory up between two neighbouring States. In spite of its isolation, undergoing napalm and phosphorous bombing, enduring massive and arbitrary detention measures for 15 years, the people of Western Sahara had demonstrated its unswerving attachment to freedom and independence. He asked when the Moroccan invader would recognize the right of that people to self-determination.

86. The international community was currently demonstrating its firm determination to defend the restoration of the rights of the Kuwaiti people. He asked when it would show the same determination with respect to the rights of other peoples that were victims of similar aggression.

87. He also asked when Morocco would agree to co-operate with the United Nations Secretary-General and with the Security Council to implement the peace plan contained in Security Council resolution 658 (1990).

88. The people of Western Sahara and the Frente POLISARIO had observed a truce for several months and had unconditionally released 200 Moroccan prisoners of war, whom, against all logic, King Hassan II had refused to repatriate. By showing its good will, the Frente POLISARIO hoped for a favourable reaction from the Moroccan authorities, and thus to facilitate the mission of the United Nations Secretary-General.

89. Only respect for international legality could permit the emergence of a new international order, in which all States would have their place and contribute to building a civilization based on mutual respect and trust.

90. FEDEFAM also wished to draw the attention of the members of the Commission to the question of Kurdistan and its people. Since the Commission's previous session, no measure had been adopted to restore justice in respect of Kurdistan and to ensure that the Kurdish people was able to exercise its right to self-determination. The States colonizing Kurdistan had not indicated that they had any intention of solving the Kurdish problem in accordance with the rights of individuals and peoples.

91. Since the beginning of the Gulf crisis, the Turkish Government had accelerated its policy of forced deportations in north-western Kurdistan, and more than 400 Kurdish villages, mainly located along the frontier between Turkey and Iraq, had been forcibly evacuated.

92. That deportation policy was being quietly carried out, and was taking advantage of the recently adopted censorship laws which prohibited the dissemination of information on those events. The tens of thousands of displaced persons received no international assistance and were beset by hunger, cold and disease.

93. Moreover, in August 1990, the Turkish Government had officially announced its decision to suspend the application of the European Convention on Human Rights in 10 Kurdish provinces. That declaration had merely constituted a formal acknowledgement of what had been happening for many years.

94. Recently, international public opinion had been surprised by a measure that might have indicated a change in the Turkish Government's policy towards the Kurdish people. Unfortunately, the announcement of an end to the prohibition of the Kurdish language could not be considered a gesture of good will, as it was merely a tactical move designed to conceal the political interests of the Turkish Government within the context of the Gulf war.

95. It would be a positive step towards a solution of the Kurdish question if at the same time the Turkish Government recognized the right of the Kurdish people to self-determination and ended all the repressive measures (mass deportations, torture in prisons, death sentences against Kurdish political prisoners). Unfortunately, that was far from being the case. However, the Kurdish people would be prepared to recognize the sincerity of a gesture and to consider means of finding a political solution to the issue.

96. It had become a matter of urgency for the National Liberation Movement of Kurdistan to be recognized as such by the international community and international organizations, so that the Kurdish people could at last occupy their rightful place among the nations of the world. It was time to establish links with Kurdistan, with its people and its representatives, in accordance with universally recognized principles of human rights and the rights of peoples, of peace, justice and international solidarity. The war being waged by the colonialist armies to deprive the Kurdish people of its right to self-determination was an act of aggression and should be condemned as such by the international community, in accordance with the Charter of the United Nations. The international community should also condemn, without further delay, the deliberate and systematic genocide of the Kurdish people, which had already cost a million lives.

97. In a world in which the political cards were currently being reshuffled, the Kurdish question was of particular importance on the international scene. The deep crisis into which Turkey, NATO's bulwark in the region, was plunging on account of the activities of the National Liberation Movement of Kurdistan was a new political and military factor in the Middle East, and could no longer be ignored.

98. The independence of Kurdistan was the only solution for a lasting peace in the region. Measures designed to attenuate the human rights violations committed against the Kurdish people and to protect the civilian populations could be envisaged but would only alleviate the problem temporarily.

99. Lastly, the question of the right of the Kurdish people to self-determination should be a central issue in any future Middle East peace conference.

100. Mr. GONZALES (International Indian Treaty Council) said that it could be anticipated that the United States and its allies would ultimately perpetuate the division they had imposed on the Arab nations in the Gulf in order better

to extract from their territories the mineral resources and profits they coveted and to deny the Arab populations in the region their right to self-determination. The indigenous peoples of the Americas had also seen their Indian nation raped and divided by arbitrary political boundaries imposed upon them in the past. Those same populations feared that the war that had broken out in the Middle East might provide a justification for speeding up the attack on Indian lands and resources in the United States and that their right to self-determination would continue to be trampled underfoot.

101. In addition, bills designed to authorize petroleum exploitation in a natural park in Alaska, the Alaska National Wildlife Refuge, had been reintroduced to the United States Congress using the war as an excuse. Yet again, as in other areas of mineral exploitation, the lives of traditional Indian families would be destroyed by their forced resettlement. In Arizona, the Hopi and the Navajo were still subject to a forced relocation policy that included forced livestock reduction, a prohibition on building additional dwellings and the destruction of sacred sites. However, by persistently denying the right to self-determination, the colonizer merely strengthened the resistance of the oppressed and their desire to determine their own destiny. The Gulf war diverted the attention of the international community from human rights violations committed in the Americas, the last bastion of United States hegemony.

102. The right of peoples to self-determination also meant honouring treaties made between indigenous nations and Governments. He asked why the United States recognized certain treaties and agreements and abrogated others, with impunity, when they were not to its convenience. In his statement of 1 February the representative of the United States had spoken of free elections and of a new "democracy" that was developing throughout the world. He asked what was to be thought of the elections organized in the United States, where more than half the electorate refused to participate in the ballot, and whether that could be seen as anything other than the expression of a lack of confidence in a Government that did not know how to give peace a chance. A Government representing a country that was merely 200 years old took upon itself to establish a "new world order", which meant that some regions of the world had to be pillaged and sacrificed in order for people in the United States to maintain their high standard of living. Iraq had unlawfully invaded Kuwait, but the United States had also illegally invaded Hawaii under the threat of the cannon, in a manner that was, moreover, very similar to what had happened in other colonized countries such as Grenada and the Philippines.

103. At its previous session, the Sub-Commission on Prevention of Discrimination and Protection of Minorities had heard an appeal for calm addressed to the Canadian authorities after their over-reaction to the demonstrations by the Mohawk Indians near the small town of Oka in Quebec Province. The Quebec authorities had said that the issue was merely a conflict between the local municipality and the Indians, in an attempt to conceal the real problem, the struggle for land. It would appear that Canada itself considered the matter to be one of national security, since more than 3,000 men had been mobilized in Quebec in order to "quell the natives" whereas only 800 soldiers had been sent to the Gulf in August. Canada would one day have to face up to the question of the right of indigenous populations

to self-determination. The Mohawks were merely a catalyst, but the indigenous communities were waiting to see which direction the Government would take: Canada had an opportunity to set right wrongs that had persisted for so long.

104. The indigenous populations of Guatemala were treated as an oppressed minority, whereas they represented more than 65 per cent of Guatemala's 9 million inhabitants. In his report on the situation of human rights in Guatemala (E/CN.4/1991/5 and Add.1), the independent Expert Mr. Christian Tomuschat described the manner in which the social, economic, civil, political and cultural rights of those populations were violated and how they were denied the right to self-determination. The tragedy that had occurred in Santiago Atitlán illustrated the unhappy situation of the indigenous populations in the Guatemalan countryside.

105. For more than 15 years, the Saharan people, under the leadership of the Frente POLISARIO, had been struggling to gain recognition for its right to self-determination and independence, but Morocco still refused to implement the United Nations peace plan, and rejected its resolutions.

106. Lastly, the International Indian Treaty Council drew the attention of the Commission to the human rights situation in Sri Lanka, where more than 6,000 Tamil civilians had died, not to mention the 200,000 persons who had fled to India. Efforts should be directed towards a solution capable of ending the human rights violations affecting the Tamil population, which should include the right to self-determination.

107. Ms. BRIDEL (International Association of Democratic Lawyers), speaking on agenda item 4, said that her organization, which represented lawyers from 101 countries with various economic and social systems, as well as two continental organizations and three regional associations, had sent the following petition to the United Nations Secretary-General and to the President of the Security Council: "In view of the worsening situation of systematic and daily human rights violations in the territories occupied by Israel, until the Palestinian State is able to exercise effective sovereignty over those territories and until the international peace conference on the Middle East is held, which the international community, with the exception of Israel and the United States, has called for, and which is alone capable of establishing a genuine peace in that region of the world, it appears absolutely essential that the United Nations Security Council, acting under the powers conferred on it by Articles 39 and 40 of the Charter, should decide on immediate measures to protect the lives and property of the Palestinian population".

108. The International Association of Democratic Lawyers considered that the Security Council should set up a United Nations council for Palestine, whose mission would be not only to protect the Palestinian population, but also to act as Protecting Power as provided for in article 11 of the Fourth Geneva Convention of 1949. Such a council could also ensure the implementation of the United Nations resolutions relating to the territories occupied by Israel, including those relating to the establishment of settlements.

109. The CHAIRMAN gave the floor to those delegations that had asked to speak in exercise of the right of reply.

110. Mr. LOEIS (Indonesia), replying to the allegations made, as in previous years, by the Portuguese delegation in respect of East Timor (E/CN.4/1991/SR.9), recalled once again that the self-determination of East Timor was a non-issue that had long since lost its relevance, and that if there were remaining problems to be settled, the appropriate forum was the dialogue, ongoing since 1983, between Indonesia and Portugal under the auspices of the United Nations Secretary-General and which was the only viable mechanism. For its part, Indonesia had always co-operated fully with the Secretary-General.

111. As proof of its good will and in order to facilitate the task of the Secretary-General, in February 1987 the Indonesian House of Representatives had invited the Portuguese Parliament to send a delegation to East Timor. In November 1990 the Portuguese media had announced that the terms of reference and modalities of the visit had been agreed upon in September 1990 and that it had been agreed that a United Nations team would visit East Timor along with the Portuguese parliamentary delegation. However, nothing further had been heard since then.

112. The representative of Portugal had again presented the issue of the self-determination of East Timor in an anachronistic way and had failed to concede any responsibility on the part of Portugal. The fact that Portugal had left the territory in the midst of a civil war, which had caused thousands of casualties, had not of course been mentioned. However, in an honest portrayal of events, the Portuguese newspaper Diario de Noticias of 7 January 1991 had written that "East Timor was criminally abandoned to its fate by the occupying forces of Portugal". According to The Economist magazine of 12-18 January 1991, "Many Portuguese feel partly to blame for the deaths of 100,000 Timorese". Lastly, in August 1990, a Portuguese journalist had made the following statement in the Diario de Noticias, already quoted: "I can state with certainty what happened: the civil war continued until December of that year, which meant it lasted for five months. During that time Indonesia implored Portugal to return to re-establish its authority on the territory. Indonesia had even gone to the extent of proposing an international peace-keeping force. For that purpose, three meetings were held between Indonesia and Portugal in London, Rome and Macao." The civil war had compelled more than 45,000 persons to take refuge in West Timor. Indonesia hoped that Portugal would acknowledge its complicity in that tragedy.

113. The Portuguese delegation had also failed to mention ensuing events in the course of which the majority of the population of East Timor had expressed through the existing political parties, its determination to resist the impositions of the tyranny of the minority, which had been heavily armed by Portugal. Moreover, the majority of the population had sufficient political maturity to decide its future of its own free will, as had been clearly reflected in the Balibo declarations (30 November 1975), in which the four political parties had solemnly pledged to join Indonesia. To claim, as Portugal had done, that the local population was not sufficiently mature to decide its own future was an insult to the Timorese and a typical colonialist attitude.

114. It was a well-established fact that East Timor had become an integral part of Indonesia in July 1976, following the free and democratic exercise of the right to self-determination by the territory's population, in accordance with the provisions of the Charter of the United Nations and resolutions 1514 (XV), 1541 (XV) and 2625 (XXV). The population of the province had reaffirmed its decision to join the Republic of Indonesia by participating in the 1982 and 1987 general elections. It should perhaps be recalled that the decision to integrate had been recognized by the majority of the countries in the region and that in 1982, out of the 26 countries in South-East Asia and the Pacific that were Members of the United Nations, 23 had refused to support the draft resolution on East Timor submitted to the General Assembly.

115. The representative of Portugal had also drawn an absurd and misleading analogy between East Timor and the situation in the Gulf. The question of East Timor involved a non-self-governing territory in the process of decolonization, a process which had been badly mishandled by the former colonial Power. In no respect was the situation in Kuwait comparable to that experienced over 400 years by the population of East Timor, with the misery and oppression imposed by the worst kind of colonialism.

116. His delegation would not dwell on the socio-economic progress and the current situation in the region, as they could be observed on the spot. It was understandable that Portugal should wonder about events in East Timor; that was something which could not be learned from one or two press reports. It was for that reason, among others, that Indonesia had invited the Portuguese Parliament to send a delegation to visit, in order to see and learn for itself.

117. Ms. SPASIC (Yugoslavia) referred to the statement made on the previous day by the Movement against Racism and for Friendship among Peoples. That statement contained several untruths and charges against Yugoslavia which proved that the organization was not well informed, that its intentions were not honest and that it did not seek to promote human rights. In addition, the choice of agenda item 9 was erroneous, as that item could not apply to the Albanians of Yugoslavia.

118. There was a large Albanian community in Yugoslavia, the majority of whom lived in Kosovo and Metohija and in western Macedonia. That population enjoyed all human rights, as did all other Yugoslavs. At the University of Pristina the teaching programme was in Albanian, which was also one of the official languages of Kosovo and Metohija. One of the Presidents of Yugoslavia was Albanian, as was the former President of the Yugoslav Parliament and a member of the Government, and there were many prominent Albanians in the Federation, in Serbia and in Kosovo and Metohija. Her delegation was convinced that no other minority in the world enjoyed a better human rights situation than the Albanian minority in Yugoslavia.

119. It was, however, true that there were problems in Kosovo and Metohija. Their source was the separatist movement, whose main objective was to proclaim Kosovo a republic, and to set it up as a separate State (Kosovo and Metohija had the status of an automous province within the Republic of Serbia), by way of force and terrorism. The movement advocated an ethnically pure Kosovo and

employed intimidation and terrorism against the Serbs, the Montenegrins and the other non-Albanians, many of whom had been forced to flee the country in which they had lived for centuries. Yugoslavia would not allow that terrorist and separatist movement to achieve its ends, and it had no chance of setting up an Albanian State in Yugoslavia. Yugoslavia assured the Commission that the Albanians in Yugoslavia would continue to enjoy all constitutional rights and freedoms.

120. Mr. SEZAKI (Japan) said that he wished to reply to the criticism of his delegation by the representative of Iraq (E/CN.4/1991/SR.10), who had expressed surprise that the Japanese delegation, when referring to the Gulf crisis, had not taken a different approach from that of the United States, as Japan had suffered from American bombardments during the Second World War. His delegation wished to make clear the Japanese Government's position on the question of the right to self-determination by recalling the efforts made by Japan just before the outbreak of the current war. He quoted from a press release issued by the Ministry of Foreign Affairs of Japan, and published on 27 December 1990, which mentioned a letter from the Japanese Prime Minister to President Saddam Hussein, as part of Japan's diplomatic efforts for a peaceful solution to the Gulf crisis.

121. The letter said that in view of the critical stage reached in the Gulf since the adoption of the United Nations Security Council resolution 678 (1990), it was indispensable, for a peaceful solution to the crisis, for Iraq to comply with the series of resolutions adopted by the Security Council. The letter recalled that Japan had suffered the ravages of war and that the reconstruction of the nation had been a painstakingly long process. The Prime Minister had added that there were reasons to fear that a similar fate might befall Iraq and that in his view, the only action Iraq could take to avert such consequences was to decide to withdraw from Kuwait.

122. It was deeply regrettable that the appeal of the Japanese Prime Minister had gone unheeded by the Iraqi Government and that, in spite of all the efforts of peace-loving countries, war had actually broken out. That appeal itself clearly showed that because of its own experience of brutal war, Japan was determined to seek peace. Moreover, it could not remain silent in the face of clear violations of the principle of self-determination. Consequently, his delegation had no option but to condemn the Iraqi invasion of Kuwait and reiterated its appeal to Iraq to withdraw from Kuwait unconditionally and totally in order to restore peace in the region.

123. Mr. AL-KHADI (Iraq) replied to the remarks made during the meeting by the representative of the United Kingdom Government. He said that first of all, he shared the latter's view that political and economic stability was the basis for promoting the principles of human rights. It was on the basis of that conclusion that the countries of the third world were struggling on several fronts - political, economic and social - to establish conditions favourable for development and for the promotion of democratic principles. Countries made heavy sacrifices to achieve that objective, on account of the conditions that had been imposed upon them by colonialism and by the hegemony of the Governments of the Western countries, foremost among which was the British Government.

124. The British Government was in no position to speak about respect for human rights and the right of peoples to self-determination, as the United Kingdom was responsible for most of the world's problems, as was demonstrated by the establishment of Israel in the Middle East and the presence of South Africa on the African continent. The British Minister had spoken of the rights of the Palestinian people but had limited himself to a brief mention of the need for Israel to respect the Fourth Geneva Convention. He had only condemned the Government of South Africa in passing and had welcomed the measures that it soon intended to adopt. That brief reference to the fate of two oppressed peoples was surely indicative of the scant importance attached by the United Kingdom to the rights of others.

125. Moreover, the Minister had unhesitatingly spoken of the right to life while his country's air force, under the leadership of the United States of America, was dropping thousands of bombs every day on the Iraqi people, in a blatant violation of that principle. The Gulf war had unmasked the Western countries. It was true that the price would be high, but freedom and the prosperity of peoples had no price, and the countries of the third world had no other choice, in order to lead their people to true freedom, but to make heavy sacrifices. Iraq would be the first to do so.

126. The representative of Japan had spoken of the efforts made by his country to find a solution to the Gulf conflict. The Iraqi delegation appreciated those efforts, as well as all the efforts to achieve peace made by others throughout the world. But unfortunately, all the peaceful solutions proposed by Europe, Japan and others had been rejected by the United States of America which had resorted to force in order to destroy Iraq.

The meeting rose at 1 p.m.